

### REMARKS

The Decision of the Board of Patent Appeals and Interferences dated September 8, 2008 has been reviewed and carefully considered. Claims 1-19 are pending. Claims 1, 15 and 16 have been amended. Support for the amendment to claims 1 and 16 may be found, for example, in the Specification at p. 8, lines 5-40 and support for the amendment to claim 15 may be found, for example, in the Specification at p. 12, lines 20-24.

Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested. It should be noted that the Applicants respectfully disagree with the Board's decision and analysis. The Applicants reserve the right to pursue all counter-arguments to the analysis in any future proceeding. Further, the present claim amendments have been made only to facilitate expeditious prosecution of the application. Accordingly, the Applicants are not conceding in this application that the amended claims in their prior form are not patentable over the art cited by the Examiner. The Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications.

Claims 1-2, 4-6, 10-11, and 13-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,379,268 to Young et al. (hereinafter 'Young'). Claims 3 and 18 stand rejected under 35 U.S.C. §103(a) over Young in view of U.S. Patent No. 5,619,274 (hereinafter 'Roop'). Claim 7 stands rejected under 35 U.S.C. §103(a) over Young in view of Program and System Information Protocol For Terrestrial Broadcast and Cable document (hereinafter 'ATSC') in further view of U.S. Patent No. 5,561,461 (hereinafter 'Landis'). Claim 12 stands rejected under 35 U.S.C. §103(a) over Young in view of ATSC. Claims 8-9 and 19 stand rejected under 35 U.S.C. §103(a) over Young in view of U.S. Patent No. 5,808,694 ("Usui"). The Applicants respectfully disagree with the rejections.

Claim 1 recites, inter alia:

"the processor programmed to ensure that the second scheduling clock is synchronized with the current time of day of the clock of the second corresponding program source prior to initiation of the second program processing function by synchronizing the current time of day of the second scheduling clock with the current time of day of the clock of the second corresponding program source based on the second current time reference information prior to initiation of the second program processing function."

Even if, arguendo, Young discloses receiving current time of day information from multiple program sources for system clock synchronization, it is respectfully submitted that Young does not disclose or render obvious ensuring that a scheduling clock is synchronized with a clock of a second program source prior to initiation of a second program processing function for a program from the second source. For example, Young simply discloses comparing a system clock to a scheduled recording time for a program and tuning to the channel corresponding to the program after the system clock matches the scheduling time (see, e.g., Young column 13, lines 14-22). However, Young does not disclose that the system clock is synchronized to the clock of the specific program source for the recorded program prior to initiation of the recording. Rather, the Young system simply relies on a currently running system clock at the scheduled recording time to initiate the recording, regardless of which program source the clock was derived from.

In contrast to Young, exemplary implementations of the present principles described in the Specification recognize that program sources may employ different clocks. As a result, if a scheduling clock is not synchronized to the clock of the specific program source from which a recorded program is received, objectionable content may be mistakenly recorded due to unsynchronized clocks (see, e.g., Specification, p. 8, lines 26-40). To address this problem, for example, a system may be configured to ensure that a scheduling clock is synchronized with a clock of a program source prior to initiation of a program processing function for a program from the source (see, e.g., Specification, p. 8, lines 5-40). As stated above, Young nowhere discloses or remotely suggests this feature.

Accordingly, claim 1 is believed to be patentable over Young for at least the reasons discussed above. Further, claim 16 is believed to be patentable, as it includes similar, relevant features discussed above with regard to claim 1. In addition, Roop, ATSC, Landis and Usui, taken singly or in any combination fail to cure the deficiencies of Young. Accordingly, claims 1-15 and claims 17-19 are believed to be patentable over the cited references due at least to their dependencies on claims 1 and 16, respectfully.

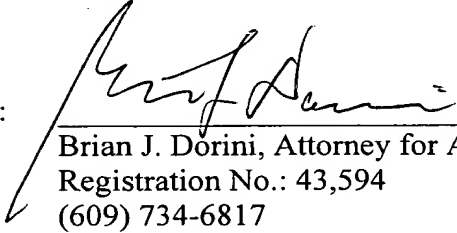
In view of the foregoing, Applicants respectfully request that pending claims 1-19 be allowed and that the case proceed to early issuance of Letters Patent in due course.

It is believed that there is no fee due with regard to the filing of this Amendment.  
However, if there is a fee, please charge the fee and/or credit any overpayments to Deposit  
Account No. 07-0832.

Respectfully submitted,

DANIEL R. SCHNEIDEWEND ET AL.

By:



Brian J. Dorini, Attorney for Applicants  
Registration No.: 43,594  
(609) 734-6817

BJD:pdf

Patent Operations  
Thomson Licensing LLC  
P.O. Box 5312  
Princeton, NJ 08543-5312

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